

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

**JOY VERONICA HAYES and TERRY
SMITH**

Plaintiffs

V.

BRIAN PURCELL, et al.

Defendants

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No. 5:06CV281

MEMORANDUM ORDER

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Plaintiff Terry Smith's claims in the above-entitled and numbered cause of action are hereby **DISMISSED WITHOUT PREJUDICE**.

SIGNED this 23rd day of April, 2007.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE